

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

Shellae Backman, Shawn Oxentenکو,
and Sheree Wesely, as co-trustees of the
Cordell Oxentenکو Trust: Phyllis
Oxentenکو, and Oxentenکو, Inc.,

Plaintiffs,

vs.

Home Depot U.S.A., Inc., and
HD Development of Maryland, Inc.,

Defendants.

ORDER OF DISMISSAL

Case No. 1:08-cv-058

Before the Court is a “Stipulation of Dismissal With Prejudice” filed on February 3, 2009. The Court **ADOPTS** the stipulation in its entirety (Docket No. 18) and **ORDERS** that the case be dismissed with prejudice and without costs or disbursements to any party.

IT IS SO ORDERED.

Dated this 5th day of February, 2009.

/s/ Daniel L. Hovland

Daniel L. Hovland, Chief Judge
United States District Court